### FILED Case \$:73-cv-00128-MMD-CSD Document 988 I FILE C ENTERED OCT - 1 2021 1 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 2 DISTRICT OF NEVAD UNITED STATES OF AMERICA, DEPUTY BY: 3 Plaintiff, 4 3:73-cv-00128-MMD-WGC 5 WALKER RIVER PAIUTE TRIBE, 6 Plaintiff-Intervenor, DISCLAIMER OF INTEREST 7 v. IN WATER RIGHTS AND NOTICE OF RELATED 8 WALKER RIVER IRRIGATION DISTRICT. **INFORMATION AND** a corporation, et al., **DOCUMENTATION** SUPPORTING DISCLAIMER 10 Defendants. 11 MINERAL COUNTY, 12 Plaintiff-Intervenor, 13 14 WALKER RIVER IRRIGATION DISTRICT, 15 et al., 16 Defendants. 17 18 The undersigned defendant in the above action hereby notifies the Court and Mineral 19 County that the undersigned (or the entity on whose behalf the undersigned is acting) has no 20 interest in either any water right subject to the Walker River Decree or any water right based 21 on ownership of riparian land within the California portion of the Walker River Basin, and 22 therefore, disclaims all interest in this action. 23 24 In addition, because the undersigned sold or otherwise conveyed ownership of all of 25 the water rights that the undersigned (or the entity on whose behalf the undersigned is acting) 26 once owned before the undersigned was served with a Waiver of Personal Service of Notice in 27

28

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1	Lieu of Summons or by a Notice in Lieu of Summons the undersigned provides the following
2	additional information:
3	1. The name and address of the defendant or defendants who sold or otherwise conveyed
4	ownership:
5	Stephen H. Mapti
6	Name(s)
7	Box 1738 Street or P.O. Box
8	Street of P.O. Box
9   10	Town or City State Zip Code
11	2. The name and address of each person or entity who acquired ownership:
12	Misti Sullivan Thimothy Sullivase Name(s)
13	Name(s)
14	F, O, Dox 6 8 Street or P.O. Box
15	Bridgeport CA 93517
16	Town or City State Zip Code
17	3. Attached to or included with this notice is a copy of the (check appropriate box(es)):
18	□ Deed
19	□ Court Order  □ Other Document
20	4. The undersigned acknowledges that any person or entity who files a Disclaimer of
21	
22	Interest in this matter is ultimately responsible for the accuracy of this filing.
23	*This notice shall be filed with the Court at the following address and served as indicated on the attached certificate of service.
24	Chief Deputy Clerk United States District Court for the
25	District of Nevada 400 South Virginia Street, Suite 301
26	Reno, Nevada 89501
27	

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1	Consequently, the undersigned acknowledges that any person or entity who files such a
2	notice, but, in fact, has water rights subject to this litigation, shall nevertheless be bound by
3	the results of this litigation.
4	Executed this 30th day of September, 2021
5	LA MIT
6	[signature of defendant]
7	[signature of defendant]
8	[name of defendant]
10	
11	[signature, if applicable, of person
12	acting on behalf of defendant]
13	
14	[name, if applicable, of person acting
15	on behalf of defendant]  80 Box 1738
16	80 Box 1738 1286 Centerville IN GARDNERVILLE NU 89410
17	[address]
18	776 1112 56
19	775 412 5615 [telephone number]
20	
21	
22	
23 24	
25	
26	
27	
20	

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### **CERTIFICATE OF SERVICE**

I certify that on 9-30-2021, 2021, I filed the foregoing with the Clerk of the Court, which will send notification of such filing via the CM/ECF system to the parties of record represented by an attorney and by email to unrepresented parties consenting to electronic service.

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September 30, 2021

Chief Deputy Clerk United States District Court for the District of Nevada

Disclaimer of interest In Water Rights and Notice of related Information and Documentation Supporting disclaimer

Documents show Loretta Beth Eitel as the Primary Owner of Record, Water Right License ID: 000903 1/15/1987 to 6/13/2016.

Misti Sullivan became the Primary Owner of Record, Water Right License 000903 6/13/2016.

The certificate of Death show's Lori was the Primary Owner of Record when the business sold in 2016. Her passing is the reason I am acting as the named defendant.

Thank you

Stephen A Marti

## DEPARTMENT OF HEALTH AND HUMAN SERVICES DIVISION OF PUBLIC AND BEHAVIORAL HEALTH

VITAL STATISTICS

			a. Or sa			1
CASE FIL	.E NO. 4071665	CERTII	FICATE OF I	DEATH		19005427
TYPE OR	1a. DECEASED-NAME (FIRST, MIDDLE, L	ACT CHEETY	ş Leveş v	la pare	STA OF DEATH (Mo/Day/Year)	TE FILE NUMBER  3a. COUNTY OF DEATH
PRINT IN PERMANENT			EITEL-MARTI		400 to 100 to	
DI AGIZINIZ -	Loretta Beth 3b. CITY, TOWN, OR LOCATION OF DEA	- 1 m - 1 m	25.		arch 10, 2019	Douglas OA,OP/Emer. Rm. 4, SEX
	and the second of the Author	- 6. <b>1</b> 1 - 189691 - 81, 91 - 18	, i na , na la	A.A. 1.2.13/22/25/5	Inpatient/Specify)	
DECEDENT	Gardnerville 5. RACE (Specify)	6. Hispanic Origin		GE-Last birthday 75, UNDE		Y 8. DATE OF BIRTH (Mo/Day/Yr)
	White	No - Non-Hispa	nic (Years	i) MOS 74	DAYS HOURS MIN	May 24, 1944
IF DEATH OCCURRED IN INSTITUTION SEE	9a. STATE OF BIRTH (If not US/CA, Sname country) California	b. CITIZEN OF WHAT COUNTR United States		. MARITAL STATUS (Specify) Married		IAME (Last name prior to first marriage) hen MARTI
HANDBOOK REGARDING COMPLETION OF	13. SOCIAL SECURITY NUMBER 548-68-4672	4a. USUAL OCCUPATION (Givi	e Kind of Work Done D Owner	uring Most of 14b. Ki	ND OF BUSINESS OR INDU Hospitality	JSTRY Ever in US Armed Forces? No
RESIDENCE ITEMS	15a. RESIDENCE - STATE 15b. COU	NTY 15c, CITY	Y, TOWN OR LOCATIO	N 15d STREET AND		15e. INSIDE CITY LIMITS (Specify Yes
Ц	Nevada	Douglas (	Gardnerville	1286 Center	ville I ane	or No) Yes
	16. FATHER/PARENT - NAME (First Mid-				VAME (First Middle Last	Suffix)
PARENTS	Richard Ol	in HUTCHINSON			Virginia KIN	G
	18a, INFORMANT- NAME (Type or Print)	186	MAILING ADDRESS	(Street or R.F.D. No. C	ity or Town, State, Zip)	-
	Stephen A MAI	RTI∰####################################		1286 Centerville La	ne Gardnerville, Neva	da 89410
DISPOSITION	19a. BURIAL, CREMATION, REMOVAL, C Cremation	THER (Specify) 19b. CEMETER		NAME nation Services	4 6 10 C 4 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6 6	N City or Town State on City Nevada 89701
	20a. FUNERAL DIRECTOR - SIGNATURE JOHN LAWR		LICENSE NUMBER	CTOF 20c. NAME AND A	Autumn Funerals &	*
	SIGNATURE AU	THENTICATED	FD304	1000	575 N Lompa Ln Carso	on City NV 89701
TRADE CALL	TRADE CALL - NAME AND ADDRESS			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	re <i>deren</i> e ekt e	
	21a. To the best of my knowledge to the cause(s) stated (Signature &	Title) SIGNATURE AU	and place and due			
CERTIFIER	ER March 20, 2019  To the cause(s) stated (signature & line)  Signature & line)  22c. HOUR OF DEATH  Signature & line)  22c. HOUR OF DEATH  Signature & line)  22c. HOUR OF DEATH  Signature & line)  Signa					
	នី 21d NAME OF ATTENDING PHY: ១ ម៉ូ (Type or Print)	SICIAN IF OTHER THAN CERTI	FIER	22d. PRONOUNCE	D DEAD (Mo/Day/Yr) 22	e, PRONOUNCED DEAD AT (Hour)
	23a. NAME AND ADDRESS OF CERTIFIE Nita Sch	er (Physician, Attending P Iwartz MD 710 W. Wasi			R) (Type or Print)	23b. LICENSE NUMBER 9114
REGISTRAR	• · · · · · · · · · · · · · · · · · · ·	ANGELICA RAMIRE	- I (Mo/	DATE RECEIVED BY REC Day/Yr) March 20	1914 1914 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	DUE TO COMMUNICABLE DISEASE  ES NO X
CAUSE OF DEATH		r only one cause per line ncer With Metastasi		<b>)</b>		Interval between onset and death
DLAIII	DUE TO, OR AS A CON	SEQUENCE OF:	<u> </u>			Interval between onset and death
CONDITIONS IF	<b>b</b> (b)		W 5.50151 1.0017			
ANY WHICH GAVE RISE TO	DUE TO, OR AS A CON	ISEQUENCE OF:		<u> </u>		Interval between onset and death
IMMEDIATE CAUSE			: ::::::::::::::::::::::::::::::::::::			
CAUSE STATING THE UNDERLYING, CAUSE LAST	DUE TO, OR AS A CON	SEQUENCE OF:		A Section 1	<del></del>	Interval between onset and death
CAUSE LAST	(40)					
3	PART II OTHER SIGNIFICANT CONDIT	IONS-Conditions contribution to	death but not resulting	in the underlying cause of	ven in Part 1. De All	TOPSY (Specif 27, WAS CASE
	7.5.1.	AND			Yes or	No) REFERRED TO CORONER
	28a, ACC., SUICIDE, HOM, UNDET 1286 DA	TE OF INJURY (Mo/Dav/Yr) 13	28c. HOUR OF INJURY	128d, DESCRIBE HOW INJUI	RY OCCURRED	No (Specify res or No) No
	28a. ACC., SUICIDE, HOM., UNDET. 28b. DA OR PENDING INVEST. (Specify)					
					5.00 Sa.	
	28e. INJURY AT WORK (Specify, 28f, PL Yes or No)   buildin		n, street, factory, office	28g. LOCATION	STREET OR R.F.D. No.	CITY OR TOWN STATE
	DUIIdin	g, etc. (Specify)		<u> </u>		

STATE REGISTRAR



CERTIFIED COPY OF VITAL RECORDS

This is a true and exact reproduction of the document officially registered and placed on file in the office of the State Registrar and Vital Records.

DATE ISSUED:

MAR 2 1 2019

This copy is not valid unless prepared on engraved border displaying date, seal and signature of Registrar.

ANY ALTERATION OR ERASURE VOIDS



VRS-Rev-20120523a

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# STATE OF CALIFORNIA DEPARTMENT OF PUBLIC WORKS DIVISION OF WATER RESOURCES

Book

### License for Diversion and Use of Water

LICENSE 903

ERMIT 1594 Notice of Assignment (OVERPLICATION\_

THIS IS TO CERTIFY, That Charles M. Honn, Bridgeport, California,

ha\_s\_\_\_made proof to the satisfaction of the Division

of Water Resources of California of a right to the use of the waters of a spring in Mone County

tributary of Robinson Crock and East Walker River Drainage Area

for the purpose of irrigation

under Permit

1594

of the Division of Water Resources and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the Division of Water Resources and the terms of the said permit; that the priority of the right herein confirmed dates from

1884

1985:

that the amount of water to which such right is entitled and bereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed fifty-five hundredths (0.56) cubic foot per second from about April 1st to about October 31st of each season provided that in accordance with the provisions of Section 43 of the Water Commission Act, nothing herein shall be construed as confirming the right to use more than two and one-half (2) acre feet of water per acre in any one year in the irrigation of ungultivated areas of land not devoted to cultivated crops.

The point of diversion of such water is located North four hundred fifty (450) feet and West three hundred thirty (530) feet from center of Section 29, T 4 N, R 24 E, M.D.B. & M. being within the SR of NW2 of said Section 29.

The same of the same of the same of the same of

A description of the lands or the place where such water is put to beneficial use is as follows:

20 acres within the NW of SR )

24 acres within the SW of SR )

44 acres, total

# Case 3:73-cv-00128-MMD-csp Document 988 Filed 10/01/21 Page 8 of 14 conditions set forth in Section 20 of Chepter 786, Statutes 1913, when the section wentioned subject to the terms and conditions set forth in Section 20 of Chepter 786, Statutes 1913, which is as follows: Suc. 20. All permits and licenses for the appropriation of water shall be under the terms and conditions of this act, and shall be effective for mech time so the water unreally appropriated under such permits and licenses shall actually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall lactually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall lactually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall lactually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall lactually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall lactually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall lactually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall lactually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall actually be used for the useful and beneficial purpose for which said water was appropriated, but no longer; and every such permit or license shall actually be used for the useful and beneficial purpose for which said water was appropriated, but no longer and every such permit or license shall actually be used for the useful and beneficial purpose

Witness my band and the seal of the Department of Public Works of the State of California, this seventeenth EDWARD HYATT DETERMED NOTICE OF ASSISTMENT TO Lovetta Beth Eitel

1-15-87 Ownership chapt to Rorette Beth Eitel

> DIVISION OF WATER RESOURCES LICENSE APPROPRIATE WATER DEPARTMENT OF PUBLIC WORKS Charles M. Honn SSUED TO.

### State Water Resources Control Board

July 22, 2016

MISTI SULLIVAN PO BOX 68 BRIDGEPORT, CA 93517 In Reply Refer to: SS: A003464

Dear Ms. Sullivan:

LICENSE 903 (APPLICATION A003464) A SPRING TRIBUTARY TO ROBINSON CREEK IN MONO COUNTY

### Owner of Record Information

The Division of Water Rights (Division) received notification on June 13, 2016 that Misti Sullivan is the owner of the property served by (APN: 010-090-005-000) the water right License 903 (A003464). Generally, the ownership of a water right transfers with the change in ownership of the property being served which is identified as the place of use in the permit or license. A copy of this water right can be obtained by searching for your license and permit number from the Division's website at: https://ciwqs.waterboards.ca.gov/ciwqs/ewrims/EWPublicTerms.jsp

You are herein advised that unless the Division is informed in writing to the contrary within 30 days of the date of this letter, the Division records will show ownership as follows:

Primary Owner:

MISTI SULLIVAN
PO BOX 68
BRIDGEPORT, CA 93517

Co-Owner:
ROBERT HAYES
PO BOX 68
BRIDGEPORT, CA 93517

Co-Owner: TIMOTHY SULLIVAN PO BOX 68 BRIDGEPORT, CA 93517

### **Ownership Rights and Responsibilities**

The Division's processing of the change in ownership is an administrative procedure and does not constitute a technical review of diversion or beneficial use of water under this right. It is the responsibility of the new owner to know the terms and conditions of the Water Right. Below are some of the requirements of the new owner:

### **Designation of Primary Owner or Agent**

One person must be designated to act as a primary owner or agent to represent all owners of the water right. Once a primary owner or agent is established, notice to the primary owner or agent is considered notice to all owners. When a primary owner or agent is not identified, the Division identifies the primary owner based on the majority ownership of the place of use and/or ownership of the point of diversion. All owners, however, have an opportunity to mutually designate another representative by signing and returning an Agent Assignment form that is available at: http://www.waterboards.ca.gov/water\_issues/programs/ewrims/ownership/index.php

FELICIA MARGUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

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### **REPORT OF LICENSEE FOR 2020**

Primary Owner: MISTI SULLIVAN Primary Contact:

Date Submitted: 03/25/2021

Application Number: A003464 License Number: 000903

Source(s) of Water UNSP

POD Parcel Number

County Mono

MAX Direct Diversion Rate: 0.55 CFS MAX Collection to Storage: 0 AC-FT Face Value: 233.5 AC-FT

Permitted Use(s)

Acres

Direct Diversion Season

Storage Season

44 04/01 to 10/31 Irrigation

Compliance with License Terms and Conditions	
I have currently reviewed my water right license and I am complying with all terms and conditions	Yes
Description of noncompliance with terms and conditions	

2. Changes to the Project	
Intake location has been changed	
Description of intake location changes	
Type of use has changed	
Description of type of use changes	
Place of use has changed	
Description of place of use changes	
Other changes	
Description of other changes	

	3. Purpose of Use	7
Irrigation		

		Irrigated Crops	
	Multiple Crops	Area Irrigated (Acres)	Primary Irrigation Method
Sod (lawn grass)	No	1	Sprinkler

Special Use Categories	
C1. Are you using any water diverted under this right for the cultivation of cannabis?	No

4. Amount of Water Diverted and Used				
Month	Amount directly diverted (Acre-Feet)	Amount diverted or collected to storage (Acre-Feet)	Amount used (Acre-Feet)	
January	0.005	0	0.005	
February	0.005	0	0.005	
March	0.007	0	0.007	
April	0.1	0	0.1	
May	0.12	0	0.12	
June	0.15	0	0.15	
July	0.2	0	0.2	
August	0.3	0	0.3	
September	0.3	0	0.3	
October	0.2	0	0.2	
November	0.05	0	0.05	
December	0.005	0	0.005	
Total	1.442	0	1.442	
Type of Diversion	Direct Diversion Only			
Comments				

5. Water Diversion Measurement	
a. Required to measure as of the date this report is submitted	No
b. Is diversion measured?	No
c. An alternative compliance plan was submitted to the division of water rights on	
d. A request for additional time was submitted to the division of water rights on	

Measurement Attachments				
Measurement ID Number	File Name	Description	Size	
N	o attachments			

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	6. Maximum Rate of Diversion	
Month	Rate of Diversion (Cubic Feet Per Second)	
January	0.0050	
February	0.0050	
March	0.0070	
April	0.10	
May	0.12	
June	0.15	
July	0.20	
August	0.30	
September	0.30	
October	0.20	
November	0.05	
December	0.0050	

7. Water Transfers				
7a. Water transfered	No			
7b. Quantity transfered (Acre-Feet)				
7c. Dates which transfer occurred	/ to /			
7d. Transfer approved by				

Water Supply Contracts				
7e. Water supply contract	No			
7f. Contract with				
7g. Other provider				
7h. Contract number				
7i. Source from which contract water was diverted				
7j. Point of diversion same as identified water right				
7k. Amount (Acre-Feet) authorized to divert under this contract				
7l. Amount (Acre-Feet) authorized to be diverted in 2020				
7m. Amount (Acre-Feet) projected for 2021				
7n. Exchange or settlement of prior rights				
7o. All monthly reported diversion claimed under the prior rights				
7p. Amount (Acre-Feet) of reported diversion solely under contract				

8. Storage					
	Spilled this year	Feet below spiliway at maximum storage	Completely emptled	Feet below spillway at minimum storage	Method used to measure water level

Credits Claimed				
	Conservation	Reclaimed Water Use	Conjunctive Groundwater Use	
Claimed? (Yes/No)	No	No	No	
January				
February				
March				
April				
May				
June				
July				
August				
September				
October				
November				
December				

Conservation Supporting Informa	tion
Description of conservation methods	
Description of baseline water use and time period	
Description of conservation calculation methods	
Conserved water used?	

Additional Remarks	

Attachments			
File Name	Description	Size	
No Attachments			

Case 3:73-cvented Information of the Person Submitting the Form.

Last Name
Relation to Water Right

Contact Information of the Person Submitting the Form.

Sullivan

Primary Owner of Record

Information on Certification and Signatory

Name of Person Signing and Certifying the Report

Date of Signature

| Misti Sullivan | 03/25/2021 |



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e-WRIMS Public Summary Page

Return to Water Right Search

[ Return to Water Right Search Results]

Application ID: A003464 View Document

Water Right Type:

Appropriative

Permit ID: 001594 Water Rights Status:

Licensed (06/04/1923) View Map

License ID:

000903

Primary Owner:

MISTI SULLIVAN

Current Parties	Relationship	Effective Date	Last Modified Date	
MISTI SULLIVAN	Primary Owner	06/13/2016	06/13/2016	
TIMOTHY SULLIVAN	Non-Primary Owner	06/13/2016	06/13/2016	
Need to report a change of ownership or agent? <u>Click Here</u>				

### Historical Parties

Record Summary			
Application Acceptance Date	06/04/1923		
Permit Issuance Date	01/04/1924		
License Issuance Date	04/17/1930		
Face Value Amount	233.5		

Name(s) of Sources of Water	County Location	Parcel Number	Diversion Site Name	Lat/Long Coordinates
UNSP	Mono			38.17846824 ; -119.35227677
				Map It

Beneficial Uses	Acres	Direct Diversion Season	Collection to Storage Season
Irrigation	44.0	4/1 to 10/31	

Electroni	Electronic Reports						
Year	Revision	Report Type	Date Received	View Report PDF			
2020	1	Report of Licensee	03/25/2021	• <u>View</u>			
2019	1	Report of Licensee	03/24/2020	• <u>View</u>			
2018	1	Report of Licensee	05/15/2019	• <u>View</u>			
2017	1	Report of Licensee	05/02/2018	• View			
2016	1	Report of Licensee	05/02/2018	• View			
2015	1	Report of Licensee	09/13/2016	• <u>View</u>			
2013	1	Report of Licensee	06/25/2014	• <u>View</u>			
2012	1	Report of Licensee	06/25/2013	• <u>View</u>			
2011	1	Report of Licensee	03/22/2012	• <u>View</u>			
2010	1	Report of Licensee	11/29/2011	• View			
	ts submitted prior to 2	009. please contact our records room.					

<sup>\*</sup>For reports submitted prior to 2009, please contact our records room.

Water Rights Associated with Primary Owner			
Application ID	Water Right Type	Water Right Status	
A003464	Appropriative	Licensed	

Associated Decisions/Orders				
Decision/Order Number	Date	Description	View Document	

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PO Box 1738 Gardnerville, NV 89410

XRAYED US MARSHALS SERVICE







Chief Deputy Clerk
United States District Court
For the District of Nevada
400 South Virginia Street, suite 301

Reno, Nevada 89501